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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO: CR 07-00745 JF
Plaintiff,)	ATTORNEY JERRY FONG'S
vs.)	STATUS CONFERENCE STATEMENT
JOSE TORRES CALDERON,)	REGARDING DEFENDANT JOSE
Defendant.)	<u>TORRES CALDERON.</u>
)	Date: March 26, 2008
)	Time: 9:00 a.m.
)	Judge: Hon. Jeremy Fogel

Attorney Jerry Fong, counsel for Defendant Jose Torres Calderon, hereby submits the following status conference statement:

Based on Attorney Fong's consultation with Mr. Torres Calderon, it appears that Mr. Calderon will, at the the status conference scheduled on March 26, 2008, request that the Court discharge Attorney Fong as his counsel and permit him to represent himself.

Without disclosing any attorney-client communication or other privileged matters, Attorney Fong is concerned that Mr. Calderon is not competent to represent himself, under the standard set forth by the United States Supreme Court in Godinez v. Moran, 509 US 389, 396 (1993); see, also, Van Lynn v. Farmon, 347 F.3d 735, 740 (9th Cir. 2003).

To that end, Attorney Jerry Fong respectfully requests that the Court conduct an *in camera* hearing, outside the presence of the US Attorney's office, so that he may address the

1 Court with regard to his specific concerns as to whether or not Mr. Torres Calderon is
2 competent to represent himself.

3 The Court should be aware that this request is not endorsed by Mr. Torres Calderon,
4 and Attorney Fong anticipates that Mr. Torres Calderon might very well oppose this request.
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7 DATED: March 24, 2008

Respectfully submitted,

8 CAREY & CAREY
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12 /S/
13 JERRY Y. FONG, Attorneys for
14 Defendant JOSE TORRES CALDERON
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